

**Revised Agenda  
REGULAR CITY COMMISSION MEETING  
CITY OF EUSTIS, FLORIDA  
February 5, 2009 at 6:00 p.m.**

**INVOCATION:** Bill Cox, Victory Christian Center

**PLEDGE OF ALLEGIANCE:**

**ACKNOWLEDGE THAT A QUORUM IS PRESENT AND PROPER NOTICE GIVEN**

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**REGULAR ORDER OF BUSINESS**

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**I. AGENDA UPDATE**

**II. MINUTES APPROVAL**

Approval of the following Minutes: November 6, 2008 – Regular City Commission Meeting, January 15, 2009 – Regular City Commission Meeting; and January 26 & 27, 2008 – Strategic Plan Update: Leadership and Governance Workshop.

**III. PRESENTATIONS**

1. **Proclamation for 2009 Black History Month. Accepting: Members of the Eustis African-American Heritage Committee.**

**IV. AUDIENCE TO BE HEARD**

**V. CONSENT AGENDA**

1. **Scheduling of Local Planning Agency (LPA) Meeting for March 19, 2009 at 5:30 p.m.**
2. **Appointment of Donald Stearns to the Lake-Sumter Metropolitan Planning Organization (MPO) Bicycle and Pedestrian Advisory Committee (BPAC).**
3. **Resolution #09-11: Granting a Utility Easement to Embarq Florida, Inc.**
4. **Resolution #09-21: Release and Termination of Easement Granted by Anita K. Simpson.**
5. **Resolution #09-24: Purchase of Asphalt.**
6. **Resolution #09-26: Amendment to Triple-Net Lease Agreement with Eustis Main Street, Inc.**
7. **Resolution #09-27: Mt. Olive Cemetery Association Request.**
8. **Resolution #09-28: City Commission Rules of Order.**
9. **Emergency Replacement of Computer Network Equipment.**

**VI. QUASI-JUDICIAL HEARINGS – City Attorney**

1. **Resolution #09-05: Transmittal of Large Scale Amendment to the Comprehensive Plan (2009-1-CPLU-Case 1) – Davis Property at 85 West Charlotte Street – Dianne Kramer.**
2. **Resolution #09-06: Transmittal of Large Scale Amendment to the Comprehensive Plan (2009-1-CPLUS-2) – Eustis Self Storage and Out Parcel – Dianne Kramer.**
3. **Resolution #09-18: 1301 South Bay Street (Variance for sign – changeable copy area) – Dianne Kramer.**
4. **Resolution #09-19: 1301 South Bay Street (Variance for sign setbacks) – Dianne Kramer.**
5. **Ordinance #09-03: Design District Assignment (19400 SR 44 and Outparcel) – Dianne Kramer**

**First Reading of Ordinance**

**#09-03 AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF EUSTIS, LAKE COUNTY, FLORIDA; ASSIGNING THE DESIGN DISTRICT DESIGNATION OF SUBURBAN NEIGHBORHOOD TO APPROXIMATELY 7.82 ACRES OF REAL PROPERTY LOCATED ON THE SOUTHEAST CORNER OF STATE ROAD 44 AND STATE ROAD 44.**

6. **Ordinance #09-04: Annexation – Reynolds’ Property – Dianne Kramer.**

**First Reading of Ordinance**

**#09-04 AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF EUSTIS, FLORIDA; VOLUNTARILY ANNEXING APPROXIMATELY 1.57 ACRES OF REAL PROPERTY LOCATED ON THE WEST SIDE OF EUDORA ROAD BETWEEN OLD MOUNT DORA ROAD AND U.S. HIGHWAY 441.**

7. **Ordinance #09-05: Small Scale Comprehensive Plan Amendment (2009-CPLUS-Case 1) – Reynolds’ Property - Dianne Kramer**

**First Reading of Ordinance**

**#09-05 AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF EUSTIS, LAKE COUNTY, FLORIDA, AMENDING THE CITY OF EUSTIS COMPREHENSIVE PLAN PURSUANT TO 163.3187(1)(c) F.S.; CHANGING THE FUTURE LAND USE DESIGNATION OF APPROXIMATELY 1.6 ACRES OF REAL PROPERTY LOCATED ON EUDORA ROAD FROM URBAN IN LAKE COUNTY TO SUBURBAN RESIDENTIAL IN THE CITY OF EUSTIS.**

8. **Ordinance #09-06: Design District (Reynolds’ Property - Eudora Road) - Dianne Kramer**

**First Reading of Ordinance**

**#09-06 AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF EUSTIS, LAKE COUNTY, FLORIDA; ASSIGNING THE DESIGN DISTRICT DESIGNATION OF SUBURBAN NEIGHBORHOOD TO APPROXIMATELY 1.57 ACRES OF REAL PROPERTY LOCATED ON THE WEST SIDE OF EUDORA ROAD BETWEEN OLD MOUNT DORA ROAD AND U.S. HIGHWAY 441.**

9. **Ordinance #09-07: Annexation of 2453 South Grove Street – Dianne Kramer**

**First Reading of Ordinance**

**#09-07 AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF EUSTIS, FLORIDA; VOLUNTARILY ANNEXING APPROXIMATELY 1.03 ACRES OF REAL PROPERTY LOCATED ON THE EAST SIDE OF SOUTH GROVE STREET BETWEEN TWO LAKES LANE AND OLD MOUNT DORA ROAD.**

10. **Ordinance #09-08: Small Scale Comprehensive Plan Amendment (2009-CPLUS-Case 2) – Anderson Property at 2453 South Grove Street – Dianne Kramer**

**First Reading of Ordinance**

**#09-08 AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF EUSTIS, LAKE COUNTY, FLORIDA, AMENDING THE CITY OF EUSTIS COMPREHENSIVE PLAN PURSUANT TO 163.3187(1)(c) F.S.; CHANGING THE FUTURE LAND USE DESIGNATION OF APPROXIMATELY ONE ACRE OF REAL PROPERTY LOCATED ON SOUTH GROVE STREET FROM URBAN IN LAKE COUNTY TO SUBURBAN RESIDENTIAL IN THE CITY OF EUSTIS.**

11. **Ordinance #09-09: Design District Assignment (2453 South Grove Street) – Dianne Kramer**

**First Reading of Ordinance**

**#09-09 AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF EUSTIS, LAKE COUNTY, FLORIDA; ASSIGNING THE DESIGN DISTRICT DESIGNATION OF SUBURBAN NEIGHBORHOOD TO APPROXIMATELY 1.03 ACRES OF REAL PROPERTY LOCATED ON THE EAST SIDE OF GROVE STREET BETWEEN TWO LAKES LANE AND OLD MOUNT DORA ROAD.**

12. **Ordinance #09-10: Small Scale Comprehensive Plan Amendment (2009-CPLUS-Case 3) – Homestead Hills Subdivision – Dianne Kramer.**

**First Reading of Ordinance**

**#09-10 AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF EUSTIS, LAKE COUNTY, FLORIDA, AMENDING THE CITY OF EUSTIS COMPREHENSIVE PLAN PURSUANT TO 163.3187(1)(c) F.S.; CHANGING THE FUTURE LAND USE DESIGNATION OF APPROXIMATELY 4.04 ACRES OF REAL PROPERTY LOCATED ON HOLLYWOOD AVENUE KNOWN AS HOMESTEAD HILLS FROM URBAN IN LAKE COUNTY TO SUBURBAN RESIDENTIAL IN THE CITY OF EUSTIS.**

13. **Ordinance #09-11: Annexation of 2978 Eudora Road – Dianne Kramer.**

**First Reading of Ordinance**

**#09-11 AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF EUSTIS, FLORIDA; VOLUNTARILY ANNEXING APPROXIMATELY 1.5 ACRES OF REAL PROPERTY LOCATED ON THE WEST SIDE OF EUDORA ROAD BETWEEN OLD MOUNT DORA ROAD AND U.S. HIGHWAY 441.**

14. **Ordinance #09-12: Small Scale Comprehensive Plan Amendment (Almand Property at 2978 Eudora Road) – Dianne Kramer.**

**First Reading of Ordinance**

**#09-12 AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF EUSTIS, LAKE COUNTY, FLORIDA, AMENDING THE CITY OF EUSTIS COMPREHENSIVE PLAN PURSUANT TO 163.3187(1)(c) F.S.; CHANGING THE FUTURE LAND USE DESIGNATION OF APPROXIMATELY 1.5 ACRES OF REAL PROPERTY LOCATED AT 2978 EUDORA ROAD FROM URBAN IN LAKE COUNTY TO SUBURBAN RESIDENTIAL IN THE CITY OF EUSTIS.**

15. **Ordinance #09-13: Design District Assignment (2978 Eudora Road) – Dianne Kramer.**

**First Reading of Ordinance**

**#09-13 AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF EUSTIS, LAKE COUNTY, FLORIDA; ASSIGNING THE DESIGN DISTRICT DESIGNATION OF SUBURBAN NEIGHBORHOOD TO APPROXIMATELY 1.5 ACRES OF REAL PROPERTY LOCATED ON THE WEST SIDE OF EUDORA ROAD BETWEEN OLD MOUNT DORA ROAD AND U.S. HIGHWAY 441.**

**VII. RESOLUTIONS/ORDINANCES**

1. **Resolution #09-09: Granting Lake County a warranty deed for Bates Avenue Road Widening at the intersection with CR 44 (Tabled from the January 15, 2009 – Regular City Commission Meeting) – Donald Stearns.**
2. **Resolution #09-16: Eustis City Attorney Agreement – Paul Berg.**
3. **Resolution #09-20: City’s sponsorship of the installation of a “RubeStation” by RubeLab – Donald Stearns.**
4. **Resolution #09-22: Nitrogen Engineering Recommendation – Donald Stearns.**
5. **Resolution #09-23: Award of Worker’s Compensation, Property and Liability Insurance Coverage – Jim Myers.**
6. **Resolution #09-25: City Support of Central Florida Rail Project – Paul Berg.**
7. **Ordinance #09-01: Text Amendment to the Comprehensive Plan - #2008-1-CPT 1, 2, 3 for Public Schools Facilities Element and Consistency Amendments to the Intergovernmental Coordination Element and the Capital Improvements Element – Dianne Kramer.**

**Second Reading of Ordinance**

**#09-01 AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF EUSTIS, FLORIDA, ADOPTING AMENDMENT #2008-01 CPT 1,2,3 TO THE CITY OF EUSTIS COMPREHENSIVE PLAN PURSUANT TO SECTION 163.3177(12), FLORIDA STATUTES AND RULE 9J-5.005 FLORIDA ADMINISTRATIVE CODE REQUIRING A PUBLIC SCHOOLS FACILITIES ELEMENT; AND PROVIDING FOR FORWARDING TO STATE OF FLORIDA DEPARTMENT OF COMMUNITY AFFAIRS.**

8. **Ordinance #09-02: Alcoholic Beverage Hours of Sale – Dianne Kramer.**

**First Reading of Ordinance**

**#09-02 AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF EUSTIS, FLORIDA; CORRECTING ORDINANCE NO. 06-28 AND AMENDING SECTION 6-5 (A) OF THE CODE OF ORDINANCES AND SECTION 109-4.3 (E) (1) OF THE LAND DEVELOPMENT REGULATIONS RELATING TO THE HOURS OF SALE FOR ESTABLISHMENTS SELLING ALCOHOL FOR OFF-SITE CONSUMPTION.**

9. **Ordinance #09-14: Water & Sewer Service Policies – Replacement of Sections 94-4 and 94-5 of the Code of Ordinances – Dianne Kramer.**

**First Reading of Ordinance**

**#09-14 AN ORDINANCE OF THE EUSTIS CITY COMMISSION; REPEALING AND REPLACING SECTIONS 94-4 AND 94-5 OF THE CODE OF ORDINANCES IN THEIR ENTIRETY; PROVIDING FOR SEVERABILITY; REPEAL OF ALL OTHER CONFLICTING ORDINANCES; INCLUSION IN THE CODE OF ORDINANCES; AND PROVIDING AN EFFECTIVE DATE.**

**VIII. REPORTS**

- **City Commission**
- **City Manager**
- **City Attorney**

**ADJOURNMENT:**

This Agenda is provided to the Commission only as a guide, and in no way limits their consideration to the items contained hereon. The Commission has the sole right to determine those items they will discuss, consider, act upon, or fail to act upon. Changes or amendments to this Agenda may occur at any time prior to, or during the scheduled meeting. It is recommended that if you have an interest in the meeting, you make every attempt to attend the meeting. This Agenda is provided only as a courtesy, and such provision in no way infers or conveys that the Agenda appearing here is, or will be the Agenda considered at the meeting.

If a person decides to appeal any decision made by any board, agency or commission with respect to any matter considered at such meeting or hearing, he or she will need a record of the proceedings and that, for such purposes, he or she may need to ensure that a verbatim record of the proceedings is made, which includes the testimony and evidence upon which the appeal is based (Florida Statutes, 286.0105).